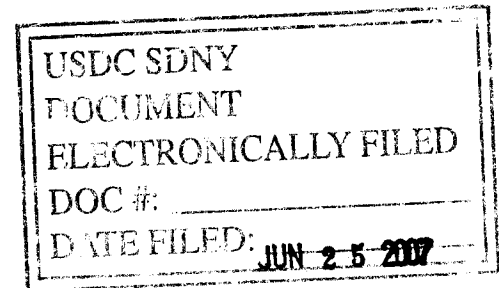


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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	:	
UNITED STATES OF AMERICA	:	SUPERSEDING
	:	<u>INDICTMENT</u>
-v-	:	
	:	S1 06 Cr. 1133 (LMM)
GUIDO DEMARIA, and	:	
CARMEN JUDITH GONZALEZ,	:	
	:	
Defendants.	:	
----- x	:	



COUNT ONE

The Grand Jury charges:

1. From in or about January 2006, up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, GUIDO DEMARIA and CARMEN JUDITH GONZALEZ, the defendants, together with others known and unknown, unlawfully, willfully, and knowingly did combine, conspire, confederate, and agree together and with each other to commit offenses against the United States, to wit, to violate Section 2314 of Title 18 of the United States Code.

2. It was a part and an object of the conspiracy that GUIDO DEMARIA and CARMEN JUDITH GONZALEZ, the defendants, together with others known and unknown, unlawfully, willfully and knowingly, would and did transport, transmit, and transfer in interstate commerce, goods, wares, merchandise, securities and money, of the value of \$5,000 and more, knowing the same to have been stolen, converted and taken by fraud, to wit, DEMARIA and

GONZALEZ transported approximately \$1 million in diamonds that they knew to be stolen, converted and taken by fraud.

OVERT ACTS

3. In furtherance of the conspiracy and to effect its illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. On or about January 6, 2006, GUIDO DEMARIA the defendant, entered 23 West 47th Street, New York, New York.

b. On or about January 10, 2006, GONZALEZ traveled from New Jersey to Florida with several of the stolen diamonds.

b. In or about January or February 2006, GONZALEZ, caused approximately eight of the stolen diamonds to be sold in Florida for approximately \$135,000.

(Title 18, United States Code, Section 371.)

COUNT TWO

The Grand Jury further charges:

4. From in or about January 2006, up to and including the date of the filing of this Indictment, in the Southern District of New York and elsewhere, GUIDO DEMARIA and CARMEN JUDITH GONZALEZ, the defendants, unlawfully, willfully, and knowingly, did transport, transmit, and transfer in interstate commerce, goods, wares, merchandise, securities and money, of the value of \$5,000 and more, knowing the same to have been stolen,

converted, and taken by fraud, to wit, DEMARIA and GONZALEZ transported approximately \$1 million in diamonds that they knew to be stolen, converted and taken by fraud.

(Title 18, United States Code, Section 2314.)

FORFEITURE ALLEGATION

5. As the result of committing the stolen property offenses in violation of Title 18, United States Code, Section 2314, alleged in Counts One and Two of this Indictment, GUIDO DEMARIA and CARMEN JUDITH GONZALEZ, the defendants, shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C) and 28 U.S.C. § 2461, all property, real and personal, that constitutes or is derived from proceeds traceable to the commission of the offense, including but not limited to at least \$1,000,000.00 in United States currency, in that such sum in aggregate is property representing the amount of proceeds obtained as a result of the offenses charged in Counts One and Two of this Indictment, for which the defendants are jointly and severally liable.

Substitute Asset Provision

6. If any of the above-described forfeitable property, as a result of any act or omission of the defendant(s):

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of

the Court;


(4) has been substantially diminished in value;

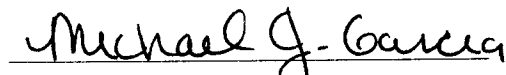
or

(5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to 18 U.S.C. § 982(b) and 21 U.S.C. § 853(p), to seek forfeiture of any other property of said defendant(s) up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981,  
Title 28, United States Code, Section 2461, and  
Title 18, United States Code, Section 2314.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

- v. -

GUIDO DEMARIA and CARMEN JUDITH GONZALEZ

Defendants.

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SUPERSEDING  
INDICTMENT

SI 06 Cr. 1133 (LMM)

(18 U.S.C. §§ 2, 371, 2314)

MICHAEL J. GARCIA

United States Attorney.

A TRUE BILL

Charles J. Abrams  
Foreperson.

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*June 25, 2007 CB*  
*Filed superseding indictment in SI 06 Cr. 1133 (LMM)*  
*A/w ordered for both Demaria and Gonzalez.*  
*Freeman, USMJ.*